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PATENT  
Attorney Docket No. CWP-012CN3

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Charlton  
SERIAL NO.: 09/441,875 GROUP NO.: 1641  
FILING DATE: November 17, 1999 EXAMINER: Pensee T. Do  
TITLE: TEST DEVICE AND METHOD FOR COLORED PARTICLE  
IMMUNOASSAY

Box RCE  
Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the documents listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of each of the cited documents are enclosed.

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

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- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

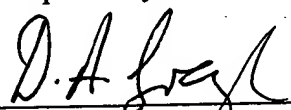
It is respectfully requested that each of the documents listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under §1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- ☐ 1. [E]ach item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application **not more than** three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. [N]o item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any** individual designated in §1.56(c) **more than** three months prior to the filing of the Information Disclosure Statement.

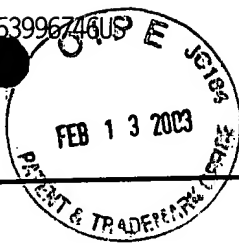
Respectfully submitted,



Duncan A. Greenhalgh  
Atty/Agent for Applicant(s)  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: September 24, 2001  
Reg. No. 38,678

Tel. No.: (617) 248-7317  
Fax No.: (617) 248-7100



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SHEET 1 OF 1

<b>FORM PTO - 1449</b>  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>	<b>ATTORNEY DOCKET NO.:</b> CWP-012CN3  <b>APPLICANT(S):</b> Charlton  <b>SERIAL NO.:</b> 09/441,875  <b>FILING DATE:</b> November 11, 1999 <b>GROUP:</b> 1641
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## U.S. PATENT DOCUMENTS

EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	4,470,468	4/26/88	Weng et al.			
	4,879,215	11/7/89	Weng et al.			
	4,954,452	9/4/90	Yost et al.			
	4,959,307	9/25/90	Olson			
	5,085,987	2/4/92	Olson			
	5,085,988	2/4/92	Olson			
	5,160,701	11/3/92	Brown, III et al.			
	5,716,778	2/10/98	Weng et al.			
	5,260,193	11/9/93	Olson			
	5,260,194	11/9/93	Olson			
	5,310,650	5/10/94	McMahon et al.			
	5,459,078	10/17/95	Kline et al.			
	5,459,080	10/17/95	Adamczyk et al.			
	5,541,115	7/30/96	Siegel et al.			
	5,670,381	9/23/97	Jou et al.			
	5,714,389	2/3/98	Charlton et al.			
	5,866,322	2/2/99	Jou et al.			
	5,895,750	4/20/99	Mushahwar et al.			
	4,666,863	5/19/87	Edwards et al.			
	5,254,458	10/19/93	Mimms			
	Re34,405	2/10/98	Gould et al.			

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## OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)
	McKelvey, F.E., "Final Decision" In the matter of Patent Interference No. 104,148; <u>David E. Charlton v. Robert W. Rosenstein</u> ; 2001
	McKelvey, F.E., "Final Decision" In the matter of Patent Interference No. 104,476; <u>David E. Charlton v. Robert W. Rosenstein</u> ; 2001
<b>EXAMINER</b>	
<b>DATE CONSIDERED</b>	